IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Alexandria Division

ERIK B. CHERDAK,)	
Plaintiff,)	
v.)	Civil Action No. 1:11-cv-169
)	
RACK ROOM SHOES, INC.,)	
)	
Defendant.)	

ORDER

This matter comes before the Court on Defendant's Motion to Dismiss pursuant to Fed. R. Civ. P. 12(b)(6) and (8) (Dkt. No. 26). Upon consideration of the motion, accompanying memoranda of the parties and for good cause appearing, the motion is hereby DENIED.

The First Amended Complaint has been sufficiently plead such that Defendant has reasonable notice of the claims and alleged infringing products, and otherwise meets the pleading standards for patent cases.

IT IS SO ORDERED.

July 20, 2011 Alexandria, Virginia

> Liam O'Grady United States District Judge